

FISHER & PHILLIPS LLP  
430 Mountain Avenue  
Murray Hill, New Jersey 07974  
(908) 516-1050  
Attorneys for Defendant  
Attorney of Record: Kathleen McLeod Caminiti, Esq.

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ROBERT S. CONRAD, SR.,

Plaintiff,

vs.

THE WACHOVIA GROUP LONG-  
TERM DISABILITY PLAN,

Defendant.

Civil Action No. 1:08-cv-05416-RMB-AMD

ECF CASE

**DEFENDANT'S NOTICE OF MOTION  
FOR SUMMARY JUDGMENT  
PURSUANT TO FED. R. CIV. P. 56  
AND LOCAL RULE 56.1**

**TO:** THOMAS J. HAGNER, ESQ.  
Hagner & Zohlman, LLC  
Commerce Center  
1820 Chapel Avenue, West, Suite 160  
Cherry Hill, NJ 08002  
Attorneys for Plaintiff

**COUNSEL:**

**PLEASE TAKE NOTICE** that on February 16, 2010 at 9:30 a.m. or as soon thereafter as counsel may be heard, the undersigned attorneys for defendant Wachovia Corporation Long-Term Disability Plan (hereinafter "Wachovia LTD Plan" or "Defendant"), incorrectly denominated in the caption as "The Wachovia Group Long-Term Disability Plan," will move before the Honorable Renee Marie Bumb, United

States District Court for the District of New Jersey, Mitchell H. Cohen U.S. Courthouse, 1 John F. Gerry Plaza, P.O. Box 886, Camden, NJ 08101 for an Order Granting Summary Judgment in favor of defendant and dismissing the Complaint in its entirety.

**PLEASE TAKE FURTHER NOTICE** that as part of the within Motion, Defendant shall rely upon Defendant's Brief in Support of Summary Judgment, Defendant's Local Rule 56.1 Statement of Material Facts Not In Dispute, the Certification of James L. Beaver with exhibits, and the Certification of Paula McGee with exhibits, all of which are being filed concurrently. A proposed form of Order is also submitted herewith.

FISHER & PHILLIPS LLP  
Attorneys for Defendant Wachovia Group  
Long Term Disability Plan

By: s/Kathleen McLeod Caminiti  
KATHLEEN McLEOD CAMINITI  
A Member of the Firm

Dated: January 14, 2010